

SERVED: April 24, 1992

NTSB Order No. EA-3551

UNITED STATES OF AMERICA
NATIONAL TRANSPORTATION SAFETY BOARD
WASHINGTON, D.C.

Adopted by the NATIONAL TRANSPORTATION SAFETY BOARD
at its office in Washington, D. C.
on the 20th day of April, 1992

BARRY LAMBERT HARRIS,
Acting Administrator,
Federal Aviation Administration

Complainant,

v.

Docket SE-11330

LAWRENCE R. SHUSTER,

Respondent.

ORDER DISMISSING APPEAL

On October 10, 1991, respondent filed a notice of appeal from the written initial decision Administrative Law Judge William A. Pope, II, served on October 8, 1991, following an evidentiary hearing held on January 17, 1991.¹ However, respondent has not filed an appeal brief and his appeal is therefore subject to dismissal under section 821.48(a) of the

¹The law judge affirmed an order of the Administrator revoking on an emergency basis respondent's Third Class Medical Certificate and Private Pilot Certificate for his alleged violations of sections 67.20(a)(1) and 61.15(a)(2) of the Federal Aviation Regulations.

²Respondent elected to have his case processed as a non-emergency.

Board's Rules of Practice.³ See 49 CFR Part 821.

ACCORDINGLY, IT IS ORDERED THAT:

Respondent's appeal is dismissed.

COUGHLIN, Acting Chairman, LAUBER, KOLSTAD, HART, and HAMMERSCHMIDT, Members of the Board, concurred in the above order.

³Section 821.48(a) provides as follows:

"§ 821.48 Briefs and oral argument.

(a) Appeal briefs. Each appeal must be perfected within 50 days after an oral initial decision has been rendered, or 30 days after service of a written initial decision, by filing with the Board and serving on the other party a brief in support of the appeal. Appeals may be dismissed by the Board on its own initiative or on motion of the other party, in cases where a party who has filed a notice of appeal fails to perfect his appeal by filing a timely brief."